

to provide room and board, personal care, habilitation services, and supervision in a family environment exclusively for not more than eight developmentally disabled persons and any necessary support personnel. However, family home does not mean an individual foster care family home licensed under chapter 237.

c. "Permitted use" means a use by right which is authorized in all residential zoning districts.

d. "Residential" means regularly used by its occupants as a permanent place of abode, which is made one's home as opposed to one's place of business and which has housekeeping and cooking facilities for its occupants only.

3. Notwithstanding any provision of this chapter to the contrary, a city, city council, or city zoning commission shall consider a family home a residential use of property for the purposes of zoning and shall treat a family home as a permitted use in all residential zones or districts, including all single-family residential zones or districts, of the city. A city, city council, or city zoning commission shall not require that a family home, its owner, or operator obtain a conditional use permit, special use permit, special exception, or variance. However, a new family home shall not be located within one-fourth of a mile from another family home. Section 135C.23, subsection 2 shall apply to all residents of a family home.

4. Any restriction, reservation, condition, exception, or covenant in any subdivision plan, deed, or other instrument of or pertaining to the transfer, sale, lease, or use of property in a city which permits residential use of property but prohibits the use of property as a family home for developmentally disabled persons, to the extent of the prohibition, is void as against the public policy of this state and shall not be given legal or equitable effect.

Approved March 28, 1983

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## CHAPTER 12

### COUNTY HEALTH, WELFARE AND SOCIAL SERVICES

S.F. 15

**AN ACT** relating to the provision of health, welfare, and social services under the county health center tax levy.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 346A.1, subsection 3, Code 1983, is amended to read as follows:

3. "Project" ~~shall mean~~ means the acquisition by purchase or construction of health centers, additions thereto and facilities therefor, the reconstruction, completion, equipment, improvement, repair or remodeling of health centers, additions thereto and facilities therefor, and the acquisition of property therefor of every kind and description, whether real, personal or mixed, by gift, purchase, lease, condemnation or otherwise and the improvement of the ~~same~~ property. "Project" also means the use of funds for the provision of health services by local boards of health pursuant to chapter 137 and the provision of health, welfare or social services which a county is permitted or required by law to provide.

Sec. 2. Section 346A.2, Code 1983, is amended to read as follows:

346A.2 AUTHORIZED IN CERTAIN COUNTIES. Counties may undertake and carry out any project as defined in section 346A.1, and the boards may operate, control, maintain and manage health centers and additions to and facilities for health centers. The boards may appoint committees, groups, or operating boards as they deem necessary and advisable to facilitate the operation and management of health centers, additions and facilities. A board may lease space in any health center to other public corporations, public agencies and private nonprofit agencies engaged in furnishing health, welfare and social services which lease shall be on terms and conditions the board deems advisable. All contracts for the construction, reconstruction, completion, equipment, improvement, repair or remodeling of any buildings, additions or facilities shall be let in accordance with section 331.341, subsection 1. To pay the cost of operating, maintaining and managing a health center ~~the~~ and to pay the costs of services provided pursuant to section 346A.1, subsection 3, the board of any such county may levy an annual tax in accordance with section 331.422, subsection 21.

Sec. 3. Section 331.422, subsection 21, Code 1983, is amended to read as follows:

21. For operation, maintenance, and management of a health center and for services provided pursuant to section 346A.1, subsection 3, not to exceed fifty-four cents per thousand dollars, in addition to all other levies authorized by law for similar purposes.

Sec. 4. This Act, being deemed of immediate importance, takes effect from and after its publication in The Cedar Rapids Gazette, a newspaper published in Cedar Rapids, Iowa, and in The Sioux City Journal, a newspaper published in Sioux City, Iowa. The tax levy authorization in this Act is effective for fiscal years beginning on or after July 1, 1983.

Approved March 29, 1983

I hereby certify that the foregoing Act, Senate File 15 was published in The Cedar Rapids Gazette, Cedar Rapids, Iowa on April 11, 1983 and in The Sioux City Journal, Sioux City, Iowa on April 5, 1983.

MARY JANE ODELL, *Secretary of State*

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**CHAPTER 13**  
**BLOOD DONATIONS**  
*H.F. 53*

**AN ACT** relating to the donation of blood by persons seventeen years of age or older.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. **NEW SECTION.** A person who is seventeen years of age or older may consent to donate blood in a voluntary and noncompensatory blood program without the permission of a parent or guardian. The consent is not subject to later disaffirmance because of minority.

Approved April 14, 1983